

## Foreign Correspondents Club of China

www.fccchina.org

### 2008 REPORTING ENVIRONMENT

The reporting environment for foreign media can vary dramatically -- from place to place and even from time to time -- and is undergoing immense flux in the run-up to the 2008 Olympics.

Overall, Chinese authorities - especially the Beijing Organizing Committee for the Olympic Games (BOCOG) - have tried hard to make the government more media-friendly in the run-up to the Olympics. On January 1, 2007 China introduced temporary regulations for foreign journalists allowing them to travel freely and interview anyone who consents to speak. (The previous rules required foreign media to obtain local government permission before travelling to report.)

Foreign journalists "can travel anywhere in China. There will be no restrictions."

-- Olympics Press Chief, Sun Weijia, Press briefing September 2006

"Foreign journalists will not limit their activities to the Games themselves. They will also cover politics, science, technology and the economy ... the 'related matters' ... actually expands the areas on which foreign journalists can report."

-- Foreign Ministry Spokesman Liu Jianchao, December 2006

However, as of early 2008, the degree of press freedom still fell short of international media's expectations in a number of areas. Government phones often went unanswered. Officials sometimes failed to provide timely, if any, responses to requests for information. Foreign journalists had little access to Chinese athletes. Some journalists who sought to cover politically sensitive issues still encountered harassment, interference, and even assault by plainclothed assailants.

For visiting journalists who are not familiar with China's unpredictable reporting environment, keep in mind that China is a rapidly changing country economically and socially, and this holds true for the government's media handling apparatus as well.

Major cities like Beijing and Guangzhou have been relatively open. You could ask politically "sensitive" questions -- say, about corruption -- and get honest responses. Some interviewees would allow you to quote them by name, or to film their answers. Others declined to answer, but you usually weren't putting them at risk.

Other parts of the country have lagged 10 to 20 years behind. There, people have been fearful of talking to foreign media. In some areas foreign correspondents have been secretly observed by hidden cameras or plain-clothed police. Your approach could put interviewees at risk of detention, intimidation, or co-option.

Hiring a savvy and capable assistant/translator can be key to successful reporting. But please remember your Chinese assistants and colleagues are at much greater

risk than you are. New York Times researcher Zhao Yan spent three years in prison in relation to a story which he and his employers say he was not involved in reporting.

Generally speaking, the worst fate most foreign correspondents have anticipated is deportation. The government has not formally arrested a foreign national working for international media for decades. However, Ching Cheong of the Straits Times of Singapore -- a Hong Kong resident holding a passport for the Special Administrative Region as well as a British National (Overseas) passport -- spent three years in prison on spying charges that he says were false.

Although some foreign journalists have been assaulted physically, none have been as badly hurt as Chinese activist Fu Xiancai, who in 2006 was paralyzed from the waist down when unidentified men he says were linked to local officials beat him badly after he spoke to German journalists.

Television crews are likely to attract the most scrutiny and interference because their bulky equipment makes them stand out. But there are also some topics and geographic regions considered especially "sensitive" by authorities. Journalists should behave appropriately.

After riots broke out in Lhasa on March 14, 2008, not only the Tibet Autonomous Region but also many ethnic Tibetan communities in nearby provinces of Gansu, Sichuan, Qinghai and Yunnan became off-limits to foreign media. Since then, the FCCC has been informed of more than 50 incidents of reporting interference. The freshest information on reporting conditions in the provinces often comes from other foreign media. Before you proceed with grassroots reporting, consider Googling for stories on your intended destination, consulting the FCCC website's Detentions and Harassment page, and asking other foreign correspondents for tips. That should give you a good idea of what to expect.

## **OLYMPICS REPORTING:**

The FCCC asked six veteran sports correspondents from six countries to comment on their experiences covering Beijing's preparations for the Olympics. All have covered previous Games, and are currently stationed in Beijing.

The reporters said that, overall, BOCOG (Beijing Organizing Committee for the Olympic Games) propaganda officials are relatively progressive and open compared to those in most other Chinese government agencies.

However, the reporters found that access to spokespersons and newsmakers remains a major obstacle. Even when authorities provide an interview or speak at a press conference, the quality of statements and data is inadequate. Compared to previous Olympics, the journalists said the biggest difference is access to athletes and training camps, with some suggesting athletes are surrounded by secrecy.

Here is a selection of their comments:

### **OVERALL:**

"Working on the Olympics is very much like doing everything else as a journalist in China. [Authorities] are suspicious about you. But I think BOCOG officials are quite progressive in some ways, and I think that some people in the foreign ministry are progressive. They want to give you as much information as possible but they can't give you enough. My general impression is: frustrating but positive." -- A reporter for a French media organization

"In some cases, I don't think BOCOG is trying to restrict information. I think they just don't understand the process of how journalism works, and how quickly responses are needed on news stories." -- A sports reporter who's been in Beijing for more than a year

"There is an ingrained suspicion of foreigners. The old view still persists: 'why should we talk to the media?'" -- A European news agency reporter

### **ON ACCESS TO ATHLETES:**

"Athletes are not available to the media. I have requested visits to training camps several times but have always been turned down." -- Francesco Liello, La Gazzetta dello Sport, Italy

"I've had more access to American athletes here [in China] than to Chinese athletes." -- A reporter for a French media organization

"Getting hold of a Liu Xiang (champion hurdler) would be difficult anywhere in world. But even if want to talk to young wrestlers or a weightlifter, you have to call the sports ministry. An official then passes you on to the weight-lifting department, which requests a fax, which often ultimately leads to a reply that an interview is 'not convenient.'" -- A European news agency reporter

#### ON ACCESS TO OFFICIALS:

"I know who to call, but I don't get any answers." -- A European sports reporter

"There are an adequate number of press conferences, but no valuable information is given, ever." -- Francesco Liello, La Gazzetta dello Sport, Italy

"Even for casual inquiries, such as how many seats [there are] in a stadium, you have to go through a huge rigmarole. Very straightforward information -- like how much are they spending on the Olympics -- is almost impossible to find out." -- A European news agency reporter

"In Athens it was the case, too, that there were a lot of questions but not many answers. But here the information barrier is bigger and stronger. They are not used to dealing with the foreign media... They don't really have the feeling that they have to answer questions." -- A reporter for a French media organization

#### ON SATISFACTION WITH QUALITY AND RELIABILITY OF DATA:

"Absolutely none. Data varies according to department. [Some officials] mix apples and pears. BOCOG often just picks up Xinhua News Agency reports, which are unreliable. They throw around estimates. Nailing down a figure doesn't seem to be remotely important." -- A European news agency reporter

"Veracity is very low. I just don't believe what they say. I don't believe the statistics...BOCOG's spokesmen just don't have much credibility. I can't verify anything." -- A sports reporter who's been in Beijing for more than a year.

## **DON'T LEAVE HOME WITHOUT IT:**

### DOCUMENTATION

- Foreigners are required to carry their passports at all times; failure to do so could lead to unnecessary delays if you are stopped by police or other security personnel.
- The FCCC advises correspondents to carry media credentials, preferably the Foreign Ministry-issued press card or another press card with a Chinese translation.
- Some reporters covering dissidents or politically sensitive issues have been asked to show their residence registration certificate, provided by the local police. Hotels should be able to provide this to visiting journalists.
- If you are covering a sensitive issue you may want to carry copies of your documentation so that police cannot "detain" you by taking away your documents.

### USEFUL PHONE NUMBERS

- Carry a 24/7 mobile number for your embassy's press attaché.

- Foreign Ministry media hotline numbers:

Spokesperson: 010-6596 3342, Mobile: 1391 086 9861

Tang Rui: 6596-2232, 1371 850 4926

Ren Yuhong: 6596-4338, 1368 108 7660

- International Press Center:

Cong Wu 6596-3313, 1355 209 8629

<http://ipc.fmprc.gov.cn/eng/>

- BOCOG (24hours): 6236-2008

- Emergency numbers:

Police: 110

Ambulance: 120

### FREE REPORTING REGULATION:

Carry a Chinese and English copy of the "Regulations on Reporting Activities in China by Foreign Journalists During the Beijing Olympic Games and the Preparatory Period" (State Council Decree No. 477), to show to local officials who may try to stop you.

Link to Chinese version: <http://ipc.fmprc.gov.cn/chn/wgjzzhzn/xgfg/t286081.htm>

Link to English version: <http://ipc.fmprc.gov.cn/eng/wgjzzhzn/xgfg/t286115.htm>

English version:

#### A. Regulations on Reporting Activities in China by Foreign Journalists during the Beijing Olympic Games and the Preparatory Period

(Decree No. 477 of the State Council)

Article 1: These Regulations are formulated to facilitate reporting activities carried out in accordance with the laws of the People's Republic of China by foreign journalists in China to advance and promote the Olympic Spirit during the Beijing Olympic Games and the preparatory period.

Article 2: These Regulations apply to reporting activities carried out by foreign journalists covering the Beijing Olympic Games and related matters in China during the Beijing Olympic Games and the preparatory period.

The Beijing Olympic Games mentioned in the Regulations refer to the 29th Olympic Games and the 13th Paralympic Games.

Article 3: Foreign journalists who intend to come to China for reporting should apply for visas at Chinese embassies, consulates or other visa-issuing institutions authorized by the Ministry of Foreign Affairs of China.

Foreign journalists who hold valid Olympic Identity and Accreditation Cards and Paralympic Identity and Accreditation Cards are entitled to multiple entries into the territory of the People's Republic of China with visa exemption by presenting Olympic Identity and Accreditation Cards, together with valid passports or other travel documents.

Article 4: Foreign journalists may bring a reasonable quantity of reporting equipments into China duty free for their own use. The aforementioned equipments should be shipped out of China's territory at the end of their reporting activities.

To bring into China reporting equipment duty free for their own use, foreign journalists should apply for the Equipment Confirmation Letter at Chinese embassies or consulates and present the Equipment Confirmation Letter together with a J-2 visa when going through customs inspection. Foreign journalists who hold Olympic Identity and Accreditation Cards and Paralympic Identity and Accreditation Cards may present the Equipment Confirmation Letter issued by the Organizing Committee of the 29th Olympic Games when going through customs inspection.

Article 5: For reporting needs, foreign journalists may, on a temporary basis, bring in, install and use radio communication equipment after completing the required application and approval procedures.

Article 6: To interview organizations or individuals in China, foreign journalists need only to obtain their prior consent.

Article 7: Foreign journalists may, through organizations providing services to foreign nationals, hire Chinese citizens to assist them in their reporting activities.

Article 8: The media guide for foreign journalists of the Beijing Olympic Games shall be formulated by the Organizing Committee of the 29th Olympic Games in accordance with these Regulations.

Article 9: These Regulations shall come into force as of 1 January 2007 and expire on 17 October 2008.

(The Regulations Concerning Foreign Journalists and Permanent Offices of Foreign Media organizations issued in 1990 remain valid after the implementation of the Regulations on Reporting Activities in China by Foreign Journalists during the Beijing Olympic Games and the Preparatory Period. In case of any discrepancies between the two, the Regulations on Reporting Activities in China by Foreign Journalists during the Beijing Olympic Games and the Preparatory Period shall prevail. With respect to matters not covered in the Regulations on Reporting Activities in China by Foreign Journalists during the Beijing Olympic Games and the Preparatory Period, the Regulations Concerning Foreign Journalists and Permanent Offices of Foreign Media organizations shall apply.)

## **WORKING WITH LOCAL ASSISTANTS**

Local assistants, translators, fixers and/or drivers may feel conflicted between loyalty to their country and loyalty to you. Do not ask them to choose.

Authorities in China may try to intimidate assistants by threatening to speak to their families about what they are doing, accusing them of being unpatriotic or insinuating that they may lose their job. They may insist on regular meetings with your assistants to get information on your reporting plans. This does not necessarily mean your assistants are betraying you -- they probably have no choice about attending. But you should take this into consideration when discussing sensitive coverage plans.

Your Chinese assistant may get into trouble any time there is a conflict with local authorities who do not like the fact that a foreign correspondent is conducting an interview or doing other forms of reporting. Your assistant/translator may be pressured by authorities or even detained. Remember they are more at risk than you. Foreign correspondents are usually protected by their nationality.

Assistants of some news bureaus in China are - on a more or less regular basis – "invited" by persons from the public security or state security apparatuses to meet in a bar, cafe or other public place.

There they are asked to report on the activities in the news office and on the topics their correspondent(s) cover.

Foreign correspondents should take this practice into consideration when they employ Chinese assistants. The foreign journalist should consider it his or her responsibility to consider the welfare of their local assistants -- and to try not to put them in compromising situations which could be risky for both employee and employer.

#### MINIMIZING RISKS TO ASSISTANTS:

Never ask your assistants to do something that is considered illegal. You might not be able to help if they run into problems.

Some assistants may tell you that they have been asked to meet with public security or state security officials. Others do not feel safe or confident enough to admit to this. Such disclosure should be their choice. Do not pressure your assistants to talk about such meetings with you. You should encourage them not to lie, and not to try to hide your activities from security agents, because such efforts often backfire and cause more problems than full disclosure. Remember, Chinese citizens have to stay in China and you don't.

There are many ways for Chinese authorities to ascertain what you are up to - think of yourself as someone whose life is remarkably transparent.

If you plan to do a sensitive story, discuss risks in advance, and don't force your Chinese colleagues into situations they are uncomfortable with. Do not require them to hide information on your behalf.

If your Chinese language skills allow, avoid taking assistants or translators on the most sensitive stories. If you do take them, agree on a contingency plan should you be detained. Another option is to go to trouble spots alone, leaving your assistant behind, but prepared to interpret interviews by mobile phone.

If you encounter interference from police or other authorities while you are on a reporting trip, try not to become separated from your assistant. If you are separated, your assistant may be treated very roughly. Insist on her/his presence by your side. ("I need a translator" etc.). If you don't succeed, keep telling the authorities that the assistant is working on your behalf, that everything that he/she has been doing is because you told him/her to do so.

#### BRIDGING THE CULTURE GAP

The FCCC suggests foreign correspondents talk to their local assistant or translator openly about the pressures local employees may face - up front and right from the start. When employing a new assistant who does not have prior experience working with foreign media, the correspondent should also make clear what the job of a reporter entails. For example:

- 1) Gathering news is not "interfering with the domestic affairs of China" or "espionage" but normal reporting which takes place in almost every country of the world. You want to find and tell the truth. Not more, not less.

2) Foreign correspondents work for their respective media organizations, not for their countries' governments. They are not government agents or employees. They are expected to be loyal only to their own conscience and to their news organizations.

3) Foreign correspondents are not propaganda tools either for their own countries' governments or for the Chinese government.

4) Journalists all over the world have a duty to protect the people who confide in them - which means a duty to protect their sources. This is holds true in China as elsewhere: Media should try to ensure that nobody gets in trouble for talking with foreign correspondents or their local assistants.

## BUREAUCRACY – CONTRACTS AND REGISTRATION

If you employ assistants on a regular and/or long-term basis, you'll need to ensure they have health and social insurance and that they pay taxes. If you don't sign a labor contract with your assistant, you are in violation of Chinese law. Authorities have also specified special considerations for foreign media employing local assistants/translators

In earlier times it was impossible to employ an assistant without the permission of the Diplomatic Services Bureau (DSB), which is an arm of the Ministry of Foreign Affairs. More recently, the regulations have eased and you can recruit and hire assistants on your own.

However, the DSB will pressure you to register your assistant with the DSB. In return the assistant receives an identity card which can be very helpful. If you don't register your assistant, he/she will not have access to government press conferences, to the annual National People's Congress (or parliament) sessions which are open to media, or to other official events.

If you register your assistant on a long-term basis you have to pay a monthly fee. The DSB has tried to get foreign correspondents to sign contracts that make the DSB responsible for all social security issues, taxes etc. related to your assistants. However this can be quite expensive for your assistant and for you.

If you sign a labor contract with the DSB, technically you are not the only employer of your assistant – the DSB becomes the employer – and you'll pay a fee to the DSB. Some foreign correspondents have found many aspects of such contracts to be negotiable, so when in doubt consult your organization's legal counsel on how to proceed.

Each foreign correspondent has to work out his/her own specific work agreements with assistants, especially when it comes to the issue of DSB registration, the abovementioned social security issues, bonuses, overtime, and details such as possible per diem payments while traveling, etc. (Under the old system, for example, DSB-provided assistants were entitled to a year-end bonus equivalent to a month's salary -- often called the "thirteenth month's bonus" -- and even a "clothing allowance". The practice persists in some cases but not usually for recent hires.)

## PROTECTING YOUR SOURCES

It is important to remember that on sensitive stories, your Chinese contacts are usually more at risk than you. It is therefore your duty to take their safety into consideration.

### WHAT RISKS DO SOURCES FACE?

Your approach could put interviewees at risk of detention or physical violence, especially if you raise issues the government considers taboo.

Examples:

- \* A campaigner from Sichuan was paralyzed from the waist down in 2006 when thugs he says were linked to local officials beat him up after he spoke to German journalists.

- \* In 2007 farmer Yu Changwu from Heilongjiang Province in northeastern China was sentenced to two years of re-education through labor for speaking to foreign journalists about his campaign to recover and privatize farmland seized by the government. The charge was the government's catchall "endangering state security."

- \* Uighurs and Tibetans in particular have been detained -- and in the case of one group sentenced to death -- after expressing separatist sentiments.

### REMINDERS

Sources can be fearful, sometimes just because of living in a repressive society but sometimes with reason. Make sure people you speak to are fully informed about what you are doing. If they are not in a position to understand the risks they run, use your judgment to get the story out in a way that will not jeopardize anyone -- weigh up editors' demands for full names etc. with potential repercussions for the people you are quoting.

This is particularly the case with people from rural areas, with limited education, or in sensitive regions like Tibet where foreign media are rare and foreign reporters are even more heavily managed than in the rest of China.

### IF A SOURCE FACES HARASSMENT

If you are very concerned that a source may be harassed after you leave but may not be able to tell you, you can arrange for them or a relative to e-mail or text you a pre-arranged message about an unrelated topic -- their cows/children etc.-- as a sign.

If a source is abused or threatened, contact your embassy, China's Foreign Ministry, and the Foreign Correspondents' Club of China.

Public campaigns could include letters to the following:

- \* China's Foreign Ministry and Ministry of Public Security
- \* Local mayors, the head of the local "First Bureau" and political security bureau

Other potential contacts in case a source has been harassed, injured or detained:

- \* John Kamm of the Duihua Foundation (<http://www.duihua.org>), an advocate for political prisoners
- \* The Committee to Protect Journalists ([www.cpj.org](http://www.cpj.org))
- \* Reporters Without Borders ([www.rsf.org](http://www.rsf.org))
- \* Human Rights Watch ([www.hrw.org](http://www.hrw.org))
- \* Amnesty International ([www.amnesty.org](http://www.amnesty.org))
- \* Council of Europe Commissioner for Human Rights ([www.coe.int/Commissioner](http://www.coe.int/Commissioner))
- \* U.S. Congressional-Executive Commission on China ([www.cecc.gov](http://www.cecc.gov))

For more details on steps to take to protect your sources and yourself, go to the Reporting and Traveling Safely section.

## **REPORTING AND TRAVELING SAFELY**

Particularly when working on sensitive stories, the following reminders could help you, your sources and your assistants stay out of trouble:

### **GENERAL REMINDERS**

-- Assume the mobile phone of anyone under watch is being monitored. Change your phone chip strategically. For example, assume any call made from a chip that has been used to call a "sensitive" person will be monitored. Use public phones, and suggest sources use them too. In electronic communications, avoid sensitive words or names authorities may be listening for.

-- Keep mobile phones possibly known to authorities switched off. Authorities can use your phone to track your location, and there are some reports that they may be able

to use them as listening devices. Some correspondents recommend removing the phone's battery completely.

-- Try to avoid talking to people in public spaces in any area considered sensitive. Do phone interviews when possible or arrange to meet sources elsewhere, for example in a nearby town.

-- To protect sources who may be at risk, conceal or don't carry their contact information. Consider dictating notes and phone numbers to your headquarters to avoid exposing sources to police.

-- If you are recording images or sound, use discreet cameras or recording equipment. Change your storage device often, and hide it. Authorities may try to confiscate or erase recordings.

-- Check to make sure your computer is protected from Trojan software, a virus-like program that can be used by others to take control of your computer. Someone could be opening your files without you knowing. One source says China has technology that can enable someone to copy your hard drive within a certain proximity.

-- Some correspondents have reported receiving e-mails with attachments from suspicious e-mail addresses that appear to be mimicking their own organization's e-mail domain. As always on the Internet, never open an attachment sent by a stranger, lest it be a virus or Trojan horse.

-- Password-protect your hard drive and individual files you want to keep private. Frequently change your password, mix letters with numbers and make it sufficiently hard to guess.

## GENERAL TIPS WHILE TRAVELING

-- If you don't look Chinese, you will stick out far more in the provinces than in Beijing or Shanghai. But in most poor areas, all outsiders are obvious. If you are not ethnically Chinese, one useful option to consider is dressing like a backpacker. Even in areas where there are not a lot of them, this raises fewer immediate suspicions and people often assume you are a student (regardless of apparent age!).

-- Local officials who don't deal often with foreign reporters tend to be more wary of what impact your report might have and less aware of your rights under Chinese law, so make sure you always bring a Chinese and English copy of the Olympic reporting regulations, in addition to contacts at the foreign ministry. (See the Don't leave home without it section.)

-- Perhaps one of the most dangerous parts of any reporting trip in the provinces is the roads. Try especially to avoid driving at night. Make sure you take a car suitable for the conditions. If you are going off the main roads in mountain areas, a four-wheel drive vehicle with good clearance is advisable.

## TRAVELING TO SENSITIVE AREAS

-- Take a train or purchase plane tickets at the airport, as late as possible, to avoid alerting authorities to where you are headed.

-- When on the ground, choose transportation that makes you the least conspicuous, for example a local taxi instead of a hired car, or a train or public bus if you blend in.

-- Consider changing your car when you cross provincial borders so your number plate doesn't mark you out as an outsider.

-- If possible, avoid spending the night in "sensitive" regions. Hotels will report foreign guests, particularly those with journalist visas, to the police, so check in as late as possible and check out before business hours. In extremely sensitive situations, arrive at night and leave before dawn.

-- Tell a contact in advance where you are going, your rough plans, and what to do should you send an emergency SOS message.

-- There have been a growing number of cases of plainclothes thugs attacking journalists or their vehicles in sensitive areas. Although some are thought to be employed by local governments or developers, they are not officially accountable to any government body and do not identify themselves. If you encounter such groups, try to stay calm and not to antagonize them. Alert friends to the situation. If possible try to attract a crowd of witnesses. Where possible, get in and out fast enough to avoid giving them time to get there.

-- For specific reminders on areas such as Tibet, see the Sensitive topics and areas section.

## COVERING UNREST

-- Local authorities may contact English-speaking police once they notice a foreigner in the crowd. That means you have only a few minutes to get material and gather contact details for participants, before encountering interference.

-- Leave early if you want to do further reporting, or hide notes and recordings and wait for police if you want to report on police interference.

-- Police may try to detain you by asking for your passport and other documentation, and often try to confiscate or delete your reporting. This has included strip searches of some reporters covering very sensitive topics, so be aware that concealing tapes or notes in your clothing may not be enough to protect them.

-- If you are personally threatened by violence from what may be hired thugs, try to attract a crowd of witnesses. Stay calm; don't get aggravated.

-- If there is potential for a rowdy crowd, plan an escape route, and make contingency plans with your colleagues.

## OFFICIAL VISITS - PROS AND CONS

The foreign ministry organizes periodic reporting trips around China, to "off-limits" areas such as Tibet and to places of interest across the country, usually with a themed agenda (e.g. the food industry).

These can be exhausting, often with packed days (particularly in sensitive areas, to ward off any individual outings to talk to locals) and interviews are often with uncommunicative officials more used to docile state media.

But they can also give you access to places and industries -- e.g. the oil industry -- that are otherwise very hard to cover, so are worth considering for this. Details are posted regularly on the International Press Center Web site <http://ipc.fmprc.gov.cn/eng/>.

## **IF YOU GET DETAINED**

Keep your cool and avoid escalating the situation. Anger can be counterproductive. Be polite. But be a tough negotiator (see the Know Your Rights section). Enforcement of most rules in China is uneven. Often a foreign correspondent can negotiate his/her release without involving embassies or additional Chinese government departments. Here are some tactics that have helped others regain their freedom:

--Show authorities the Olympic reporting regulations (see the Don't Leave Home Without It section for a copy).

--If requested, show your passport and press card.

--You may be requested to show or delete visual images, or to allow a search of your computer/notebooks. Many reporters have successfully resisted these attempts.

--If authorities ask to strip search you, they may be deterred if you refuse to cooperate; females have the right to be searched by another female.

--Try to get names and contact details for the officers detaining you, and the name of the police station.

--Phone the Foreign Ministry to complain; pass on the details of those holding you against your will.

--Phone your embassy; pass on the details of those holding you against your will.

--If it is late at night, and you cannot reach anybody else on the phone, consider calling government officials in your home country -- especially if you fear for your personal safety.

-- Phone the FCCC President or head of the Professional Committee.

Some authorities will not allow you to make a phone call. Others may allow you to use your mobile phone for awhile and then take it away. Prepare a "panic message" - detailing where you are, what you are covering and what should be done to help you get released -- that can be sent to family/colleagues discretely from your pocket with the push of a button. Urge the person to call you so authorities know someone is concerned with your welfare, and ask that person to call the Foreign Ministry and your embassy if you cannot do it yourself. Ideally, include place names in Chinese characters as well as pinyin (Roman alphabet).

Some embassy officers may be unfamiliar with such situations. They may advise that you not say anything or sign anything until you've seen a lawyer. Be aware that it may take a lawyer hours – or even days – to get to you. If you fear you will be formally charged with breaking a law, you should insist on the right to legal and consular advice. However if you're being held by officials who apparently want to be rid of you but are unsure of how to bring that about, negotiation may accelerate your release.

Before the new regulations were implemented, many authorities asked foreign correspondents to write a "self criticism" or confession of wrongdoing in return for their release. Detention generally lasted longer for those who refused. One alternative is to write a semantically convoluted apology that avoids acknowledging any legal culpability, such as this example shared by Jonathan Watts.

Most of the time, the people detaining you are either local officials or people working for them. In such cases, you might be roughed up initially or subjected to verbal threats, but the risk of physical harm is less than it would be if the people holding you were emotional grassroots citizens. If you find yourself in a chaotic situation where you fear imminent harm at the hands of ordinary citizens, you might consider phoning local police, local/provincial Foreign Affairs officials, or the Foreign Ministry.

Last but not least, remain conscious of the fact that Chinese nationals who helped you with your assignment -- as assistants, translators, sources or even drivers -- are at greater risk than you are. If you're heading into a situation where detention is possible or likely, do not carry anything that might imperil your Chinese contacts, such as phone numbers and addresses, visual images, notes or computer files. Try to avoid becoming separated from your local assistant/translator if you're using one. Do not ask Chinese nationals to lie on your behalf; that could simply make things worse for them.

After your detention, please consider informing the FCCC of the details of your encounter. We are recording incidents of reporting interference in the hope that it will encourage authorities to put an end to such practices. Such information also assists colleagues who may be planning to report in locations where interference took place.

## **SENSITIVE AREAS AND TOPICS**

The government does not make public its list of censored or taboo topics, but if you are reporting on the following issues, geographic areas, people or groups, the risk of interference by officials or police will be high and you should assume you will be under observation.

### **TIBET**

Despite statements that foreign journalists are free to travel anywhere in China, Tibet remains a special case, particularly in the wake of the spring 2008 unrest.

All foreigners require travel permits to go to Tibet, and journalists need to apply to the local Foreign Affairs Office for permission or go on a government-organized tour.

Even those who enter China on a tourist visa and travel to Tibet should assume they are being followed and the people they speak with could be at risk.

People you speak to, or your guide, could be detained or arrested – possibly after you leave -- even for what may seem like relatively weak statements of discontent with or objection to Chinese rule.

This may also apply to Tibetan communities in neighboring provinces, such as Qinghai, Sichuan, Gansu and Yunnan.

Please pay special attention to the precautions explained in the "Protecting your sources" and "Reporting and Traveling Safely" sections, given the high stakes that could be involved for your sources as a result of speaking with you.

## XINJIANG

Many of the same issues apply in Xinjiang as in Tibet, although it is possible for foreigners, and generally for journalists, to travel there without a special permit.

## OTHER SENSITIVE PLACES

Other areas that will be hard to get near, and heavily monitored if you do, are: military areas, "sensitive" border areas (e.g. with North Korea or Myanmar), mental hospitals, prisons, labor camps, space exploration facilities, courts dealing with human rights issues.

## RECENT HOTSPOTS

A number of correspondents have been detained, intimidated or assaulted in a number of places, including in Beijing and Hebei province. In recent years, detentions and interference have also been frequent in areas of Henan with a high concentration of HIV-Aids patients, as well as locales experiencing land disputes, particularly over big projects such as the Three Gorges Dam. For more information see the FCCC statement.

## OTHER SENSITIVE ISSUES AND DIFFICULTIES IN REPORTING ON THEM:

### RECENT TREND

Sports or other scandals associated with the Olympics.

- Hard to get information

Social problems linked to protests and unrest. This could include disputes over pollution, forced acquisition of land, crackdowns on HIV/AIDS patients or other petitioners with grievances against the government,

- Local authorities often try to stop foreign journalists from airing their dirty laundry.

- Some Journalists facing interference from local authorities have phoned a Foreign Ministry media officer, who told local officials not to obstruct.
- Several TV journalists reporting on pollution in 2007 say authorities intimidated their guide or sources, but unlike in similar situations in the past, did not confiscate their video.

Corruption cases or critical reports involving senior political leaders or other well-connected people.

- Difficult to get information, even for cases that have been through the courts.

### Dissidents

- High-profile dissidents probably know the risks and have made a conscious decision about where to draw the line.
- Some dissidents believe international exposure protects them, but lesser-known dissidents are at greater risk of detention.
- In 2007 some reporters said they had freer access to some dissidents. But others were prevented or punished for speaking to foreign media and some said they were exercising greater self-censorship.

Reports on censored historic periods, like the Cultural Revolution, sensitive economic information (strategic reserves) or elite political manoeuvres

- Risk of detention to sources who provide internal documents
- If you are chasing this kind of information make sure there is no paper or electronic trail linking you to the person who will hand it over to you. Evidence provided at the trial of Zhao Yan included a hand-written note apparently from the New York Times office, underlining how broad the reach of the security sources are.

### Falun Gong spiritual group.

- No access, high risk for FLG followers, questionable reliability of some FLG information outlets. They are also very quick to sue, if they feel they have been unfairly represented.

### North Korean refugees

- Journalists report widely varying experiences in covering religion. Some report no interference even when reporting on underground churches known to be under watch. Others have experienced interference when reporting on government-recognized bodies.
- In March 2008, police searched the hotel room of a TV journalist and confiscated tapes from his safe after he had filmed North Korean refugees in Shenyang.

## **KNOW YOUR RIGHTS: ONE LAWYER'S VIEWS**

It's not always easy to sort out what foreign correspondents' rights are. The FCCC inquired into some specific issues after an Aug. 16, 2006 incident in which Malaysian citizen Lew Siew Ying, a Guangzhou-based correspondent for the South China Morning Post, was detained in Guangzhou and told by authorities that she'd broken the law.

She was held for eight hours and received many confusing signals during that time. She was initially allowed to use her mobile phone to call her consulate, then later had the phone snatched away. Officials told her she was suspected of "disrupting public order"; threatened to strip search her (she refused to cooperate and it did not take place); and finally said she'd broken the law because she had not reported to local police after returning to China from an overseas trip.

The FCCC asked Prof. Jerome Cohen, a prominent Asia expert and U.S. lawyer who's been involved with Chinese legal issues for years, about foreign reporters' rights in such situations. He offered the following legal points, which remain largely relevant today:

"1) The prescribed limit for holding a detained person, foreigner or Chinese, while investigation is underway prior to 'arrest' is normally 7 days plus another 7 days while awaiting the procuracy's decision whether or not to approve the arrest warrant application. HOWEVER, there are 3 exceptions listed in the Criminal Procedure Law (CPL Art. 69), and the police routinely interpret them broadly beyond recognition to give themselves 30 days if needed plus the prescribed 7 days for procuracy review, i.e., a total of 37 days.

"2) Disrupting public order' is one of the favorite law enforcement categories used for detaining people whom police and prosecutors want to curb. It should, of course, only be available if someone unlawfully instigates a public disturbance. It frequently is invoked if someone questions police efforts to detain him/her and this leads to an argument involving others present and perhaps resistance to police resorting to forcible detention. Often this vague phrase is arbitrarily interpreted at the convenience of the police to cover a variety of circumstances, especially in sensitive cases where the police really have no evidence of violation of law by their target, as in the Chen Guangcheng case. This is not only a category familiar to China's Criminal Law -- which provides for maximum punishment of 5 years in prison (CL Art. 291) -- but it is also punished administratively by the police under the Security Administration Punishment Law for a maximum of 15 days in detention.

"3) Article 109 of the CPL authorizes the police to search the body and personal belongings of a criminal suspect. There really is no meaningful concept of 'voluntary' search. Nor is there any requirement for the police to obtain the approval of any other agency. A search is commonly carried out pursuant to detention. The CPL does provide that female police are to search female suspects. The entire area of 'search and seizure', so crucial to the administration of criminal justice in democratic countries, is a neglected subject in China.

"4) The rights of any foreigner detained in any way by PRC authority are usually governed by the bilateral agreement that exists between the PRC and the foreign national's government. In the absence of such an agreement, the Vienna Convention on consular matters of 1963 should govern if the foreigner's government has adhered to it (China has). Even if the foreigner's government has not adhered to it, that Convention serves as the best evidence of the applicable customary international law. Usually the detainee not only has a right to contact his or her consular official but also the rights to have the detaining authority notify the foreign government of the detention within a prescribed time, to have access to counsel and consular officials and to have a consular official attend any court proceedings. But details have to be consulted in the relevant agreement.

"5) Art. 25 of the Rules for Implementing the Law on the Entry into and Exit from China of Foreigners require all foreigners to carry with them valid identification documents all the time. If one does not, Art. 43 of the Rules provides for a maximum fine of 500 RMB and the possibility of the equivalent of deportation.

"6) Whether foreigners with a residence permit have to report their return to China following a foreign sojourn seems unclear insofar as explicit legal authority goes. Since 2005 there has been no requirement to obtain a reentry visa from the local Public Security Bureau in Beijing, but this does not necessarily mean that there is no duty to report on one's return, at least as a matter of police interpretation. We do not know the situation in other cities, and it may be a question of local interpretation rather than legal authority."

## GUIDE TO THE INTERNET

The Chinese government's Internet monitoring and censorship programs present particular challenges for foreign correspondents, whether it be accessing Web sites in their home country or communicating privately with sources. While it is probably impossible to write a definitive account of either the technical difficulties or solutions, we hope this collection of resources will help correspondents overcome some of the most common problems.

### References

- James Fallows' March 2008 Atlantic article on "The Great Firewall" is a good explanation of the basics of Chinese Internet censorship  
<http://www.theatlantic.com/doc/200803/chinese-firewall>
- As is an earlier piece by Oliver August in Wired magazine  
[http://www.wired.com/politics/security/magazine/15-11/ff\\_chinafirewall](http://www.wired.com/politics/security/magazine/15-11/ff_chinafirewall)
- Reporters Without Borders has a handbook (not China-specific) on how bloggers and dissidents can evade Internet censorship  
[http://www.rsf.org/rubrique.php3?id\\_rubrique=542](http://www.rsf.org/rubrique.php3?id_rubrique=542)
- The University of Toronto's Citizen Lab has a guide to by-passing Internet censorship  
[http://deibert.citizenlab.org/Circ\\_guide.pdf](http://deibert.citizenlab.org/Circ_guide.pdf)
- Front Line has a guide on how human-rights activists can evade Internet monitoring and censorship  
<http://info.frontlinedefenders.org/manual/en/eseccman/index.html?q=manual/en/eseccman/>
- Open Net Initiative documents Internet filtering/censorship worldwide  
<http://opennet.net/>
- Rebecca MacKinnon's guide for Hong Kong journalism students  
<http://jmsc.hku.hk/blogs/newmedia/working-from-mainland-china/>  
Rebecca's blog is also a good source for discussions of Internet and media issues in China <http://rconversation.blogs.com/>
- Andrew Lih's blog also frequently touches on China Internet issues  
<http://www.andrewlih.com/blog/>

### Tools

Virtual Private Network (VPN). As the name suggests, these are Virtual Private Network (VPN). As the name suggests, these are secure, private networks that run through the public Internet. This gives them the benefit of bypassing China's Internet monitoring and censorship systems. Many corporations use VPN systems to allow employees to access company e-mail remotely; if you work for one of them, you

probably will not need other tools for accessing e-mail and blocked websites. For others, there are a number of off-the-shelf technologies that can easily create VPNs.

#### Explanations of VPN

- <http://en.wikipedia.org/wiki/VPN>
- <http://www.howstuffworks.com/vpn.htm>

#### VPN software and services

- Paid  
<http://www.witopia.net/personalmore.html>  
<http://www.hotspotvpn.com/>  
<http://www.publicvpn.com/>
- Free / advertising-supported  
<http://anchorfree.com/downloads/hotspot-shield>

#### Other tools for private/secure Internet access

- Gladder (an add-on for the Firefox browser)  
<https://addons.mozilla.org/en-US/firefox/addon/2864>
- Tor <http://www.torproject.org/index.html.en>
- Psiphon <http://psiphon.civisec.org/>
- Anonymizer <http://www.anonymizer.com/>
- Proxify <https://proxify.com/>

#### Secure email

- Web e-mail

Gmail. Accessing gmail via [https:](https://mail.google.com/mail/), rather than the usual [http:](http://mail.google.com/mail/) connection, creates a secure connection for e-mail, and should be your default option. The added "s" means secure.

<https://mail.google.com/mail/>

Hushmail. A service offering web-based email encrypted with PGP technology (see below).

<https://www.hushmail.com/>

- PGP email. The open-source standard Pretty Good Privacy allows for high-level encryption of e-mail sent through standard desktop e-mail software. This prevents anyone intercepting the e-mail from being able to read it.

#### Explanations

[http://en.wikipedia.org/wiki/Pretty\\_Good\\_Privacy](http://en.wikipedia.org/wiki/Pretty_Good_Privacy)

Phil Zimmerman, inventor of PGP:  
<http://www.philzimmermann.com/EN/background/index.html>

### **Software**

<http://www.pgpi.org/>  
<http://www.gnupg.org/>  
<http://www.winpt.org/>  
<http://www.cgeep.com/>

## GOVERNMENT CONTACTS

For most foreign correspondents in Beijing, getting information from the Chinese government is a core part of their jobs. The good news is that over the last several years, the use of the Internet has dramatically increased the ease and speed with which the public can access many government documents and statistics. Some government agencies now also hold regular press conferences, and press access to large events like the annual legislative session has improved.

The bad news is that getting anything other than prepared documents from the government can still be difficult, and it is rare to be able to interview senior officials outside of major scheduled events. Many government agencies will not answer queries over the phone, and will typically only respond to faxed questions in Chinese. Such responses can take several days, which can be frustrating for correspondents on tight deadlines.

But to help this process along, here is a list of press contacts and Web sites for major Chinese government agencies.

Correspondents who are not literate in Chinese will likely find the Internet less useful, since the English language sections of most government websites are less comprehensive and less frequently updated than the Chinese originals. That said, the Internet remains the first and often best source of information on government activities. Most government agencies do not actively distribute news releases or other information to the foreign media, but will regularly update their websites. However, some government agencies, such as the People's Bank of China, can alert correspondents via mobile-phone text messages to new items on their website.

Opportunities to put questions directly to government officials are still infrequent, but are increasing. The Ministry of Foreign Affairs holds twice-weekly briefings with simultaneous Chinese-English interpretation, where it can address many aspects of China's interaction with the rest of the world. However, the foreign ministry does not speak on behalf of the entire government and is usually not equipped to answer specific questions about issues other than foreign policy.

The State Council Information Office organizes occasional press conferences for many other government agencies that do not themselves regularly interact with the foreign press. The SCIO events are open to both domestic and foreign media, and feature consecutive rather than simultaneous interpretation (an important convenience for non-Chinese-speaking reporters, but one that reduces time available for questions).

Other government agencies that hold their own regular press conferences include the Ministry of Public Security, the Ministry of Commerce, the Ministry of Health and the Ministry of Education. These events cater mostly to the domestic media and may not have translation. The best way of finding out about the timing of these press conferences, again, is the agencies' web sites. Central government websites (primarily [www.gov.cn](http://www.gov.cn), [www.scio.gov.cn](http://www.scio.gov.cn) and [www.china.com.cn](http://www.china.com.cn)) also frequently

have live webcasts and Chinese-language transcripts of press conferences and other events, which can be a valuable resource.

## USEFUL TELEPHONE NUMBERS AND LINKS

### RESOURCES FOR REPORTERS

\* The International Press Center (IPC) under the foreign ministry publishes a "Handbook for Foreign Journalists in China" containing details on regulations related to foreign correspondents, including how to obtain visas, paying taxes and hiring assistants.

\* The IPC also publishes a list of foreign news organizations' contact details, called "Foreign Press in China," as well as other guides to life in Beijing and China, some of which are free-of-charge.

\* Web site: <http://ipc.fmprc.gov.cn/eng/>

### LIFE IN BEIJING

Beijing's expatriate community is served by an ever-growing number of magazines, websites and other publications giving the latest information on everything from restaurants and spas to hospitals and language classes.

- Insider's Guide to Beijing. A roughly 700-page comprehensive guide book targeting foreign residents of Beijing rather than tourists; on sale at various outlets around town, like the Jenny Lou's groceries and Bookworm café. <http://www.immersionguides.com/>
- That's Beijing. A free, thick monthly guide to restaurants, nightlife, art and music, shopping, sports, etc. available at foreigner-friendly establishments around town. <http://www.thebeijinger.com/>
- \* City Weekend. Another free local listings and lifestyle publication targeting the expat community. <http://www.cityweekend.com.cn/beijing/>
- \* Time Out Beijing. The local edition of the international series of entertainment guides; they also publish a guidebook. <http://www.timeout.com/cn/en/beijing/>
- \* Localnoodles.com. An English language website where Beijing residents share reviews of everything from restaurants to real estate agents. <http://www.localnoodles.com>
- \* AsiaXpat. Online classified ads and service directory. <http://beijing.asiaxpat.com/>
- \* Chinese-language restaurant guides are the best way to find new eating spots. Two popular ones are: <http://www.dianping.com/> and <http://beijing.fantong.com/>

### GENERAL INFORMATION ON BEIJING

- \* Police: +86 (10) 110
- \* Fire Alarm: +86 (10) 119
- \* Emergencies and Ambulance: +86 (10) 120
- \* Traffic Accident Report: +86 (10) 122
- \* Mayor's Hotline: +86 (10) 12345
- \* Taxi Complaint: +86 (10) 6835 1150
- \* Airline Information Inquiry: +86 (10) 1608 122
- \* Railway Information Enquiry: +86 (10) 962585

\* Weather Forecast: +86 (10) 12121

\* Travel Info Hotline: +86 (10) 96166

City government website: <http://www.ebeijing.gov.cn/>

Beijing Tourism Administration <http://english.visitbeijing.com.cn/>

Beijing Municipal Public Security Bureau, 2 Andingmen Dongdajie, Dongcheng District, Tel: +86 10 8402 0101, +86 10 8401 5300, [www.bjgaj.gov.cn](http://www.bjgaj.gov.cn)

Other useful phone numbers:  
<http://www.ebeijing.gov.cn/Study/ExActivities/t159125.htm>

## TRANSPORTATION

Beijing Capital International Airport <http://en.bcia.com.cn/>

Beijing Subway <http://www.bjsubway.com/ens/index.html>

English map: <http://www.johomaps.com/as/china/beijing/beijingmetro.html>

Major airlines <http://www.ebeijing.gov.cn/HdI/t158355.htm>  
[http://www.moveandstay.com/beijing/guide\\_airlines.asp](http://www.moveandstay.com/beijing/guide_airlines.asp)

Maps of Beijing (English) <http://en.beijing2008.cn/emap/>  
<http://www.johomaps.com/as/china/beijing/beijing1.html>

Maps of Beijing (Chinese) <http://ditu.google.cn/maps> <http://www.51ditu.com/>

## VISAS

See the IPC Web site above for information on obtaining/renewing press cards and visas.

Division of Exit and Entry Administration of the Beijing Municipal Public Security Bureau, No. 2 Andingmen Dongdajie, Dongcheng District, Tel: +86 10 8402-0101, <http://www.bjgaj.gov.cn/epolice/index.htm>

List of foreign embassies in Beijing:  
<http://www.fmprc.gov.cn/chn/lbfb/namelist/embassylist/default.htm>

List of Chinese embassies abroad:  
<http://www.fmprc.gov.cn/eng/wjb/zwjg/2490/default.htm>

## CUSTOMS

Beijing Customs, A 10 Guanghua Lu, Chaoyang District, Tel: +86 10 6539 6114

Beijing Capital Airport Customs, Tel: +86 10 6457 9955

Beijing Railway Station Customs, Beijing Dongcheng District Railway Station, Tel: +86 10 6539 5679

## TAXATION

Beijing Local Taxation Bureau, 8 Tiyuguan Xilu, Chongwen District, Tel: +86 10 6717 6620, <http://english.tax861.gov.cn/>

## DRIVERS' LICENSES

Beijing Traffic Management Bureau, 18 Nansihuan Donglu (East section of South Fourth Ring Road) Chaoyang District, Tel: +86 10 8762 5123, <http://www.bjjtgl.gov.cn/english/index.html>

Beijing FESCO Chen Guang Service Co., Room No. 318, FESCO Building, No. 14 Chaoyangmen Nan Dajie Street, Chaoyang District, Tel: +86 10 85616663, 85606060, 85636833, <http://english.fesco.com.cn/>

## HIRING A DOMESTIC WORKER

Beijing Service Bureau for Diplomatic Missions, No. 223 Chaoyangmennei Dajie, Chaoyang District, Tel:+86 10 6512 2200, +86 10 6525 7049, [www.bsbdm.com.cn](http://www.bsbdm.com.cn)

Beijing FESCO Chen Guang Service Co. (See address under "Drivers' Licenses" above)

## LEGAL ISSUES AND DISPUTES

China International Economic and Trade Arbitration Commission, 6th Floor, Gaolan Plaza, No.32 Liangmaqiao Lu, Chaoyang District, Tel:+86 10 6464 6688, [http://www.cietac.org.cn/index\\_english.shtml](http://www.cietac.org.cn/index_english.shtml)

Beijing Arbitration Commission, 16th Floor, China Merchants Centre, No. 118 Jianguo Lu, Chaoyang District, Tel:+86 10 6566 9856, <http://www.bjac.org.cn/en/index.asp>

Beijing High People's Court, No. 10 Jianguomen Nandajie, Chaoyang District, Tel:+86 10 8526 8122/3/4, <http://bjgy.chinacourt.org/>

## TRYING TO COMMIT JOURNALISM IN CHINA

By Jonathan Watts, March 2008

"I confess. I have attempted to commit journalism in violation of the Chinese government's rules and regulations. I understand that the authorities would not like me to report what I have seen and heard today to the outside world."

This is a fairly typical extract from a correspondent's self-criticism - the usually hand-scrawled, semantically convoluted and anything but penitent letters that foreign journalists were - until recently at least - obliged to write in return for their freedom if they are caught conducting unauthorised interviews or visits.

I was obliged to sign my most recent self-criticism in March 2006 after I was detained by police in Yunfu, Guangdong Province, for talking to some elderly villagers engaged in a land dispute (1). As usual, the experience was unpleasant, humiliating and glaringly at odds with the image of a modern, open, international country that China is trying to project to the outside world.

It was not my first detention. Before I came to China in 2003, I had never had any serious trouble with the authorities in a 13-year career covering a dozen countries - even including North Korea and Burma. But since I moved to Beijing in 2003, the police have detained me three times for, variously, talking to Tibetan activists in Beijing (2), the widows of a mining accident in Shaanxi (3), and the peasants in Guangdong that I mentioned above. I have been turned away by police three times (all in March 2008, while I was trying to visit Tibetan areas that had reportedly been experiencing unrest). They have also confiscated my press card once, state security agents have interrogated at least one of my assistants and local officials and their hired thugs have frequently harassed and sometimes beaten my sources.

There have been four occasions when it has been clear that my phone conversations or emails are monitored. And the behaviour of my internet provider - far slower and more erratic than in other countries, particularly when I used sensitive words - makes me suspect that my online research is being disrupted.

There is nothing unusual about this. In China, such treatment and the paranoia that comes with it is considered part of the territory. There are other cultural, linguistic and ideological issues that affect coverage, but I believe the government's controls on foreign journalists have one of the biggest and most negative impact on the overseas image of the country.

My experience of one detention per year is not at all untypical for a foreign journalist in China. But there have also been signs of improvement in the reporting environment. Under temporary Olympic regulations introduced in January 2007, foreign journalists no longer need to get advance permission from provincial authorities for every interview and visit outside Beijing.

Instead, Article 6 of the new rulebook states: "To interview organizations or individuals in China, foreign journalists need only to obtain prior consent." Foreign reporters need to learn this by heart.

Whenever there is a "misunderstanding" with the police, it is worth reciting these important words and note that they were approved by Prime Minister Wen Jiabao. But even that doesn't always work.

The new rules will run alongside the old, which date to 1990 and are more restrictive. But in the event of any clash between the two, the new regulations issued by the State Council are supposed to take precedence. Exactly how this will work in practice has been the subject of some confusion. Although the wording of the new rules suggests they might apply to Olympic-related matters only, Foreign Ministry spokesman Liu Jianchao said they would be liberally interpreted to cover all topics, including politics and social issues.

In practice, however, the government continues to strictly control the activities of foreign reporters. In the first year after the Olympic regulations were introduced, the FCCC recorded more than 180 cases of interference, including detentions of foreign journalists, harassment of sources and being turned away from stories. In some cases, problems were resolved by phone calls to the Foreign Ministry in Beijing (remember to take the emergency number with you on reporting trips), but more often local officials and police ignored the new regulations and did whatever they needed to do to prevent journalists from doing their job.

This was most evident in the days and weeks after the Lhasa riots on 14 March 2008, which spread to protests in at least three provinces neighbouring Tibet. More than 40 foreign journalists were turned away by police when they attempted to enter areas where disturbances were reportedly taking place. Local authorities invoked emergency powers to keep foreigners out. This could not have been done without orders - or least consent - from the central government in Beijing. The new Olympic reporting regulations were simply over-ruled.

Tibet is a special case, say the government. Access is tightly restricted.

Xinjiang, which has a large and often restive Uighur population, is another hotspot, along with Henan villages at the centre of the HIV-contaminated blood harvesting scandal, and most land disputes.

Usually, detentions are a mere inconvenience - albeit a sometimes unsettling one. The interrogators are generally polite and freedom can usually be attained after two to six hours of questioning. Unpleasant as it feels to be taken away by the police, there have - so far - been no long-term repercussions. It is more than five years since a foreign journalist was thrown out of China.

Far worse treatment is meted out to ethnic Chinese journalists. Ng Han Guan, an Associated Press photographer, was clubbed and his camera smashed by plain-clothes security personnel when he took a picture of a colleague being manhandled by police after the Asian Cup final in 2004. BBC producer Bessie Du and cameraman

AI Go were strip-searched by police after they visited a riot scene at Dingzhou village in Hebei province last summer.

My biggest concern is for Chinese sources and assistants. It is as if there is a circle of fire around correspondents in China - one that protects the reporter but threatens anyone they come near. At least five of the activists I have interviewed in recent years - the blind, "barefoot lawyer" Chen Guangcheng, the legal rights campaigner Gao Zhisheng, Aids campaigner Hu Jia, petitioner Liu Jie and a land-dispute activist, who asked to remain anonymous, are either in prison, detention or under house arrest as I write.

Assistants are also vulnerable. Zhao Yan, the New York Times researcher, was recently sentenced to prison for three years ostensibly for fraud. His supporters say this charge was a fig leaf to cover the real reason for his punishment: a New York Times story that former president Jiang Zemin was about to step down as head of the military commission. If the government had a stronger case, it did a bad public relations job in presenting it. The trial was held behind closed doors and no witnesses were allowed to testify - all factors which raised suspicions that Zhao's sentence was retribution rather than justice. He was released early in 2008.

A worrying trend has been the rise in violence meted out against sources by thugs. Last October, the activist Lu Banglie was savagely beaten when he attempted to take one of my Guardian colleagues into Taishi village in Guangdong, the site of a land dispute. When I went back six months later, only a handful of residents were still brave enough to talk. They said there are still 30 guards restricting access to the area. "It's like there is a black fog enveloping the village," one man told me. "Everyone feels they could be arrested at any moment. It's appalling, like a form of terrorism." We had to break off our interview half-way through because my source saw police officers entering the restaurant where we were talking and he did not want to be caught with a foreign reporter.

Such fears are understandable. The harshest retribution appears to have been meted out to Fu Xiancai - one of the most vocal opponents of the Three Gorges Dam - who was left paralysed by a savage beating after he ignored police warnings not to speak to foreign journalists.

On 8 June, Fu was attacked by unknown assailants on his way home from the Zigui public security bureau in Hubei Province, where he had been interrogated about an interview he granted with reporters from the German channel ARD. Relatives say the blow broke his neck, leaving him paralyzed from the neck down but able to speak. According to Human Rights in China, Fu has been repeatedly warned by police and local officials that he would be severely punished for talking to foreign journalists. A police investigation into the incident concluded that he broke his neck in a fall down a steep slope.

Many activists appeal to the international media because domestic news organisations are so tightly censored. But the local police chief, Wang Xiankui, warned Fu last May that this was illegal. In the year since, Fu has been beaten by thugs using police batons, had his home broken into and received numerous death threats. "We have no doubt that this incident was partly a revenge for Mr Fu Xiancai

's statement on German Television; also, because he had been called a "traitor" by local authorities for having talked to foreign media," the director general of ARD, Jobst Plog, wrote in a letter to the Chinese ambassador in Berlin. He called on the government to ensure that "Chinese citizens do not have to fear for their health or life in the future", just because they make a factual statement to the foreign media.

The same month, police pressed charges against Chen Guangcheng, the blind activist who exposed the Shandong government's coercive family planning methods to the central government and foreign media.

After being kept under illegal house arrest for almost a year, Chen was sentenced in 2006 to three years and four months in prison for "inciting a mob to disrupt traffic." His wife Yuan Weijing and lawyers were detained by police or placed under house arrest during his trial.

\_ recently discovered that several of the land protestors I spoke to in Guangdong were also jailed in June. It may have nothing to do with me - they had been tussling with the authorities for more than a year and The Guardian took great precautions to keep their identities concealed in the published story - but there is a niggling worry in the back of my mind that the local police may have found out about our interviews and used it against them.

The story is not all dark. At a central government level, I have never got into trouble as a result of a detention by the local authorities. Indeed sometimes it feels like Beijing is grateful for the reports from the provinces gleaned by foreign correspondents, who can provide an alternative and unsanitised view of events. I have no strong proof of this, but academics and officials have praised - though always off-record - the contribution made by the foreign media in helping to expose the Henan HIV-Aids scandal, mine disaster cover-ups, bird-flu outbreaks and corruption and pollution scandals. I have never received an official complaint.

As relations between the foreign media and the central authorities thaw, there should be less suspicion that we are trying to destabilise the government or demonize China, and more understanding that we are trying to seek out injustices that often remain hidden in a political and legal system that gives local cadres too much power and too little accountability. In many cases, we help to bring local officials to task for failing to live up to the standards set at a national level.

In a coincidence of interests, this means we sometimes inadvertently act on behalf of the central authorities. Neither side is likely to feel comfortable acknowledging this situation. But it happens and as a result the correspondent is not just a middleman between two countries, but between the centre and the region. This means extra pressure, extra responsibility and potentially bigger results. That is one of the biggest reasons why it is so satisfying to work in China as a correspondent.

From the comments I read on the web and in emails, it seems some people believe there is a homogeneous western media that is intent on vilifying China. In an interview with a Chinese radio station, the first question I was asked - only partly in jest - was, "Why do foreign reporters hate China so much?" At a lecture I gave at a Beijing university, students politely lambasted me - and by association all other

foreign journalists - for painting too negative a picture of China. "Why," asked one questioner, "do you keep writing about the Tiananmen Square incident and the Cultural Revolution? The past is the past. China has changed. It is time to move on."

He had a point. The world's most populous nation has been transformed in many ways since the dark days of Mao Zedong and the slaughter of civilians by the People's Liberation Army in 1989. But the same could also be said of Japan since the Second World War, and many of the students had a very different view about the value of history when it came to the atrocities committed by their neighbour more than half a century ago. "Why," asked another questioner, referring to the massacre in Nanjing in 1937 and the imperial army's use of sex slaves, "can't Japan face up to the past?"

The biggest criticism has come from the blogosphere - the growth of which has been perhaps the biggest development during my three years in China. On one hand, blogs are a new source of tips for stories. One of the best is probably ESWN.com, whose author Roland Soong uses his formidable translation skills to provide a bridge between the Chinese media and the English-speaking world. More importantly - and sometimes more painfully - bloggers are also eager to serve as watchdogs on journalists. Although the process is still rather scrappy, the blogosphere is now an arena where correspondents can be publicly held to account. While this is a welcome development in terms of accountability, transparency and public discourse, there have also been hate campaigns instigated by online mobs. In the aftermath of the Tibet unrest in March 2008, a campaign against CNN and other foreign media organisations led to countless hate mails and threatening phone calls.

Nonetheless, China is a great story to cover. One of the best parts of the job is the opportunity to travel around this vast, diverse, fast-changing country. It contrasts sharply in that respect with my previous post in Japan. Even the footwear is different. Japan was a beat for reporters with polished shoes - necessary for walking the corridors of power in the Nagatacho political district, shareholders' meetings in the Otemachi business district or - once in a blue moon - an audience with the emperor at the Imperial Palace. China, on the other hand, is a news beat that requires sturdy boots, which soon get covered in mud, sand and loess from peasant farms, desert roads and cave dwellings.

Because the country is so large and it is still so hard to get access to senior officials - let alone an audience with President Hu Jintao - the story must be covered bottom-up rather than top-down.

This makes it far more interesting for a reporter, though the workload is greater. This is perhaps because the issues in China feel far more extreme in scale and consequence - and not only because China's population is 10 times bigger. One of the big stories during my time in Tokyo was a quarter-percent rise in the interest rate, which - quite understandably - had people chattering for months. In China, however, there are so many life-or-death stories that it is impossible to cover them all. For the aggrieved, journalists' bureaus become a second port-of-call after the petition office - but there is a limit to how many land dispute pieces the editors back home are willing to run.

But when you do get a story, it is often from the source - and sometimes, even completely original. Because China is so vast and still so sparsely covered, there is real chance here to dig up material that is at least unique in the English media and sometimes - because of censorship - a real scoop even in China. When you want to explore major trends - the development of the west, urbanisation, the dire condition of China's waterways - you can head into the provinces and find the sort of gripping narratives and spectacular backdrops that make writing a pleasure.

China, I suspect, sometimes gets more negative coverage than it deserves because its old system of restricting the activities of foreign correspondents pushes them into taking sides. To do a sensitive story in the provinces, journalists used to have to choose between going officially and getting an overly rosy view of what was happening, or sneaking in without permission and hearing only the views of disgruntled peasants - many of whom have a financial incentive to exaggerate their woes because they want to use the media to seek compensation. The problem was that there was very little middle ground - and in many cases that is where the truth is probably to be found.

Forced to choose, most journalists often gave the benefit of the doubt to the little guy up against the system. With the domestic media often muzzled and the courts in the pocket of local officials, there was no other outlet for the voices of the oppressed. I try to get the official view too by calling the relevant government departments, but the spokesman's system - despite a much heralded reform and expansion in 2003 - is not very helpful. Phones often ring unanswered or are quickly hung up.

Faxes with questions and official chops are usually requested. If you get a short answer within a week, you are lucky. If local governments used their "waiban" (foreign affairs office) resources to improve the spokesman's system rather than restricting visits, they would get a much better return on their tax money.

The Olympics will change things. As I write in March 2008, it is too early to judge in terms of the qualitative difference in the reporting environment, but in terms of the quantity of journalists there has already been a transformation. In 2002, there were 199 resident foreign media organizations and 353 foreign journalists in China. By 2007, that had gone up to 363 resident foreign media organizations and 760 foreign journalists.

For the Olympics, the government expects 21,500 accredited foreign journalists and 5,000 to 10,000 unaccredited journalists in addition to resident correspondents. This has been good news for the Foreign Correspondents Club, which almost doubled its membership to 365 in the two years up to 2007.

China also has an Olympic promise to live up to. "We will give the media complete freedom to report when they come to China," said Wang Wei, secretary-general of the Beijing Olympic Games bid committee, in lobbying for the right to host the event. "We are confident that the Games coming to China not only promotes our economy but also enhances all social conditions, including education, health, and human rights."

The new Olympic reporting regulations are a step forward. But - even without emergencies like Tibet - there are still huge restrictions. According to the Committee to Protect Journalists, there are 30 reporters in Chinese prisons - the highest number in the world. Reporters without Borders adds 60 cyber-dissidents to this list. In recent years, we have witnessed the jailing of Beijing-based documentary filmmaker Wu Hao, reporters Yang Xiaoqing and Li Yuanlong, the firing of Freezing Point editor Li Datong (18) and the closure of countless blogs and bulletin boards.

Chinese journalists sometimes provide information, but they also face dangers. Every week the propaganda departments of the state and provincial governments issue a list of prohibited stories. Journalists usually do not find out until their copy - often written and researched at considerable personal risk - is spiked. On two occasions, I have received tip offs from frustrated Chinese reporters, who were unwilling to comply with official cover-ups and so passed on their stories to an outsider. Many say they are now forbidden to give information to foreign reporters. Suspicion towards the overseas media lingers.

But Beijing - and in particular the Ministry of Foreign Affairs - has become far more sophisticated in their attempt to shape global images of China. Restrictions on where journalists live and set up offices have been lifted. We can freely choose our assistants, whereas in the past all appointments had to be made through the Diplomatic Service Bureau. Most tellingly, no foreign reporter has been expelled for at least eight years. These are gains, but surely things that reporters in most other major countries take for granted.

It may be no coincidence that the tone of coverage has also undergone a change - at least that is the impression of the government. On June 24 2006, Wang Guoqing, deputy chief of the State Council Information Office, announced that Western reporting of China had taken a turn for the better. According to his office's analysis of 243 articles in the previous year from "mainstream" Western media, only 34 percent were deemed "prejudiced". The rest were judged balanced or impartial. By comparison, in the 1990s, 60-70 percent of Western articles were deemed negative.

With a country this big, this complex and this fast-moving, there can never be unanimity of perceptions. Never have I felt more stress, or more satisfaction, than in the past five years. China is categorised as a hardship posting. But it is also a privilege to watch the development of this nation. Surely there is no more compelling story that a correspondent can cover without a flak jacket.